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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,665	03/09/2001	Travis J. Parry	10007465-1	7530

7590 10/05/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
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EXAMINER

PHAN, HUY Q

ART UNIT PAPER NUMBER

2687

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/802,665

Applicant(s)

PARRY, TRAVIS J.

Examiner

Huy Q. Phan

Art Unit

2687

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 13 September 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see continuation sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.


**SONNY TRINH
PRIMARY EXAMINER**

Continuation of 11. does NOT place the application in condition for allowance because:

In response to Applicant's arguments with regard to the rejection of claims 1, 10, 16, 21 and 25, the examiner still contends that Thomas et al. clearly suggest the use of a wireless connection with the KVM switch as described in the previous office action as "a transmitter and a receiver (fig. 8 and col. 7, line 42-col. 8, line 33) operable to provide wireless communication [as suggested "Of course, the KVM switch can employ fiber optic cable, an integral waveguide, or a wireless connection in lieu of (In place of; instead of. The American Heritage® Dictionary of the English Language, Fourth Edition) the CAT5 connection. (see col. 2, lines 8-9)] between the switching device and a selected one of a plurality of available computing devices (fig. 8, PC 13 and col. 7, line 42-col. 8, line 33) and between the switching device and a peripheral device (fig. 8, elements 3-10 and col. 7, line 42-col. 8, line 33)". The applicant correctly states that Thomas et al. only mention the wireless connection once in the background/summary section, but one suggestion is more than sufficient to provide a complete teaching for the use of the wireless connection with the switch.

The examiner still also contends that Schneider et al. evidently teach a first wireless link between the peripheral device and the switching device as described "(In an alternate embodiment, one or more interfaces may be wireless, and "connected peripheral devices" as used herein shall refer to wired and wireless peripheral devices.)" (see col. 5, lines 28-39) and second wireless link between the switching device and a computing device as described "The controlling computer 12 also includes a communications device 53 for communicating with the target device(s). Such a device 53 may include (1) a modem for connecting via a telephone connection, (2) a wireless transceiver for wirelessly communicating, and (3) a wired adapter (e.g., an Ethernet or token ring adapter). In any of those configurations, the controlling computer 12 communicates with a target controller 50 using any selected communications protocol (e.g., TCP/IP, UDP, or RDP)" (see col. 4, lines 63-67).

With all the reasons stated above, the rejection is deemed proper and still stands.

Examiner: Phan, Huy Q.

Date: 10/03/2005